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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/305,331	05/04/1999	GEORGE VICTOR GUYAN	10022/246-1	1963

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EXAMINER

ROBERTSON, DAVID

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 08/14/2002

15

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/305,331

Applicant(s)

GUYAN ET AL.

Examiner

Dave Robertson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 22-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. The request filed on 5/31/02 for a Request for Continued Examination (RCE) under 37 CFR 1.114 is acceptable and an RCE has been established. An action on the RCE follows.
2. This action is responsive to amendments filed 5/31/02. Per applicant's request claims 1-21 are cancelled; claims 22-51 are added; claims 22-51 are pending.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-21 (now cancelled) have been considered but are moot in view of the new ground(s) of rejection.

### ***Information Disclosure Statement***

4. Information Disclosure Statement (IDS) Form PTO-1449 filed 10/05/01 (paper #9) and the prior art on record as of the date of this action has been considered as indicated on the attached and initialed PTO-1449. The references have been considered *de novo* in light of the newly added claims.

### ***Specification***

5. The disclosure is objected to as presenting substantial matter not pertinent to the claimed invention. The jumbo specification will require amendment at allowance to remove extraneous material.

The specification is nearly incomprehensible when viewed for subject matter pertaining to the claimed invention. For example, pages 1-5 and 9-16 give a tutorial on object-oriented programming (OOP); pages 16-64 provide guidance interspersed with programming examples toward the design of object-oriented software architectures; and pages 65-137 consist almost

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solely of Visual Basic program code. The specification to this point (137 pages) appears to be an outline and source code descriptions of how to build what is presumably the basis for the invention, although the connection between the two is not at all clear.

The invention as claimed begins description on page 138 and continues to the end of the specification (to page 186). The invention is a high-level functional description of a software application (insurance claim processing) that one may want to implement in the manner of the teachings (OOP) earlier in the specification. However, given such high-level, functional descriptions, one skilled in the art of software development would not rely on the teachings in the specification, as there is no clear relationship between the claimed software application and the extraneous subject matter in the specification. Or, at the very least, one skilled in the art would understand the description of the claimed invention to be of such high level and the implementation using object-oriented programming so well known, that reliance on the extraneous material to practice the invention as claimed is unnecessary.

The large volume of extraneous material is misleading as to what the invention (as claimed) encompasses. Programming examples and source code are best placed in an appendix and the tutorial on object-oriented programming, while enlightening perhaps to some readers, adds little to the description of the invention.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 27 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the

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invention. The limitation "wherein the characteristics..." lacks sufficient antecedent basis for "the characteristics" in the parent claim. As best understood from a reading of the claim in light of the specification, "the characteristics" is taken to mean that the tasks are drawn from the regulatory requirements, service commitments, and best practices on insurance claims processing. In other words, policies and procedures that one of ordinary skill in the art of claims processing would consult in designing tasks to perform insurance claim processing. Clarification is required.

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 33 and 51 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is no "library rules interface" disclosed in the specification and thus inputting, storing, and editing rules in "said rules database" is not supported by the specification. There is no "task library administrator interface" disclosed in the specification.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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11. **Claims 22-51** are rejected under 35 U.S.C. 102(b) as being anticipated by Abbruzzese (US 5557515 A, 1996).

**Examiner's note:** Specific reference to locations within the prior art, for example, in the body of this action is for the convenience of Applicant and may be representative only of the teachings in the prior art. Other passages and figures may apply and Applicant in preparing the response must consider fully the entire reference as potentially teaching all or part of the claimed invention.

The present invention claims an insurance database, a task database, and client/server arrangement for event-driven task processing using automation in the art of "workflow" systems with specific application to insurance claims processing. The particular mechanism for initiating tasks for claims processing relies on the occurrence of "events" described generally in the specification (pages 183-186) as events *that have occurred in the life of various entities like claims*. The specification teaches object-oriented component-based software theory, then defines the invention with block diagrams and conceptual, high-level functional descriptions of software components for enabling users to perform tasks related to claims processing.

Abbruzzese also discloses an event-driven workflow system for insurance claims processing in comprehensive detail, as compared to the present application disclosing no details of claims processing, teaching the essential operation of insurance claims processing in terms of activities performed by agents to resolve insurance claims. Abbruzzese's description of the events driving the system through the tasks of insurance claims processing indicates its underlying functionality anticipates the present invention as broadly claimed.

Specifically, as to **claim 22**, Abbruzzese teaches claims processing as a task performed by an insurance organization (column 1, lines 27-43), including:

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***Claim***

*an insurance transaction database for storing information related to an insurance transaction;*

*a client component in communication with the insurance transaction database configured for providing information relating to the insurance transaction;*

*and a server component in communication with the client component, the transaction database and the task library database, the server component including an event processor, a task engine and a task assistant;*

**Prior art teaches**

Loss Claim database (column 3, lines 37-43).

Operator accessing the local computer through a terminal (column 3, lines 44-55).

The local computer (column 3, lines 44-55).

The *task library database for storing rules for determining tasks to be completed upon an occurrence of an event* is functionally equivalent to the series of input screens called Loan Processing Transactions (LPTX) in the prior art, whose presentation embodies “rules” for performing tasks related to each particular line of business subject to the claim (column 3, line 44, to column 4, line 44). Rules for determining tasks are inherent in the order and presentation of the input screens for each claims process. For example, Figure 1 shows at least one rule for determining the task “MAKE COPY”, i.e., if the Notice of Loss is not received in duplicate, then make a copy. The *task library* is the collection of these rules and screens that form the LPTX.

Abbruzzese further discloses that the system is driven by events (see at least Fig. 32 and related text). Figure 16 and related text demonstrates at least how the LPTX are driven by the event of receiving incoming claim-related documents by fax, mail, or telephone report events. The event of document arriving triggers an appropriate task such as routing the document image to an appropriate queue for review by a supervisor (see Fig. 11) and subsequent routing to an agent at the client component (the remote terminal, see Fig. 5-6). In at least the manner described above, Abbruzzese teaches functionality inherent in performing the event-driven,

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insurance claims processing workflow as recited in the remaining limitations of claim 22,

namely:

*wherein the event processor is triggered by application events associated with a change in the information, and sends an event trigger to the task engine;*

*wherein in response to the event trigger, the task engine identifies rules in the task library database associated with the event and applies the information to the identified rules to determine the tasks to be completed, and populates on a task assistant the determined tasks to be completed,*

*wherein the task assistant transmits the determined tasks to the client component.*

As to **claim 31**, Abbruzzese teaches generating tasks for claim processing to be performed by an insurance organization (column 1, lines 27-43), including:

*monitoring a transaction database containing information relating to an insurance transaction;*

See Loss Claim database (column 3, lines 37-43) and related text on accessing the insurance database.

The *task library database for storing rules for determining tasks to be completed upon an occurrence of an event* is functionally equivalent to the series of input screens called Loan Processing Transactions (LPTX) in the prior art, whose presentation embodies “rules” for performing tasks related to each particular line of business subject to the claim (column 3, line 44, to column 4, line 44). Rules for determining tasks are inherent in the order and presentation of the input screens for each claims process. For example, Figure 1 shows at least one rule for determining the task “MAKE COPY”, i.e., if the Notice of Loss is not received in duplicate, then make a copy. The *task library* is the collection of these rules and screens that form the LPTX.



Abbruzzese further discloses that the system is driven by events (see at least Fig. 32 and related text). Figure 16 and related text demonstrates at least how the LPTX are driven by the event of receiving incoming claim-related documents by fax, mail, or telephone report events. The event of document arriving triggers an appropriate task such as routing the document image to an appropriate queue for review by a supervisor (see Fig. 11) and subsequent routing to an agent at the client component (the remote terminal, see Fig. 5-6). In at least the manner described above, Abbruzzese teaches functionality inherent in performing the event-driven, insurance claims processing workflow as recited in the limitations of claim 31, namely:

*in response to certain changes in the information, identifying an event associated with the change;*

*in response to the identified event, retrieving rules stored in a rules database, said retrieved rules being associated with said identified event;*

*determining a task to be completed based on said retrieved rules and on the information;*

and finally, Abbruzzese discloses:

*assigning said task to an employee or group of employees for completion;*

*displaying information associated with said task on a user interface;*

*capturing data entered through the user interface and storing said data in said transaction database;*

*and identifying said task as completed.*

See Supervisor assigns task to "handler" (see at least column 1, lines 37-38)

See at least Tables IV to XX showing user interface display and entry of information relating to claims processing tasks.

See at least column 2, lines 9-15 completion of work on the claim (task).

As to **claim 36**, Abbruzzese teaches generating tasks for claim processing to be performed by an insurance organization (column 1, lines 27-43), including:

*transmitting information related to an insurance transaction;*

See electronically routing images to a staff member, OCR'ing the images to the insurance information database, and transmitting information via LPTX screens (column 3).

*determining characteristics of the information related to the insurance transaction;*

See column 4, lines 6-19) discovering of type of claim, property, information about insured, etc.

The *task library database for storing rules for determining tasks to be completed upon an occurrence of an event* is functionally equivalent to the series of input screens called Loan Processing Transactions (LPTX) in the prior art, whose presentation embodies "rules" for performing tasks related to each particular line of business subject to the claim (column 3, line 44, to column 4, line 44). Rules for determining tasks are inherent in the order and presentation of the input screens for each claims process. For example, Figure 1 shows at least one rule for determining the task "MAKE COPY", i.e., if the Notice of Loss is not received in duplicate, then make a copy. The *task library* is the collection of these rules and screens that form the LPTX.

Abbruzzese further discloses that the system is driven by events (see at least Fig. 32 and related text). Figure 16 and related text demonstrates at least how the LPTX are driven by the event of receiving incoming claim-related documents by fax, mail, or telephone report events. The event of document arriving triggers an appropriate task such as routing the document image to an appropriate queue for review by a supervisor (see Fig. 11) and subsequent routing to an agent at the client component (the remote terminal, see Fig. 5-6). In at least the manner described above, Abbruzzese teaches functionality inherent in performing the event-driven, insurance claims processing workflow as recited in the limitations of claim 36, namely:

*applying the characteristics of the information related to the insurance transaction to rules to determine a task to be completed;*  
*transmitting the determined task to a task assistant,*  
*wherein the task assistant displays the determined task;*  
*allowing an authorized user to edit and perform the determined task and to update the information related to the insurance transaction in accordance with the determined task;*

and finally, Abbruzzese discloses:

*storing the updated information related to the insurance transaction;*  
*and generating a historical record of the completed task.*

Stored to the Loss Claim database (column 3, lines 37-44).

See Activity Log (column 4, lines 58-67), an historical record of activity (tasks).

As to **claims 24, 27 and 37**, Abbruzzese discloses work management of insurance claims processing that would necessarily be determined by “characteristics” governed by regulation, account servicing commitments, and best practices in insurance claim processing, and one skilled in the art would have recognized such characteristics as inherent to the design of an insurance claims processing system of which Abbruzzese is exemplary. The library of tasks thus consists of a “standardized” list of tasks based on these “characteristics”.

As to **claim 25**, Abbruzzese discloses task due dates (column 4, lines 46-57).

As to **claim 26**, Abbruzzese discloses an historical record of activity (see Activity Log (column 4, lines 58-67)).

As to **claims 28, 29, 38 and 43-50**, Abbruzzese discloses collection of specific information on the policy, the claim, the participant (insured), and line of property (see Tables IV to XX). These are the *levels* described by the specification as different groups of information collected for claims processing. Abbruzzese discloses a “claim folder” as the collection of information on a claim in the Loss Claim database.

As to **claims 30, 34 and 39**, Abbruzzese discloses information related to the insurance transaction is a claim under an insurance policy (see Background). Claims under an insurance policy are inherently claims for a compensation.

As to **claim 32**, Abbruzzese teaches completion of work on the claim task must result in an indication in the insurance claim database (column 2, lines 9-15). Abbruzzese also teaches that “Once an LPTX has been completed it cannot be altered.” Storing in the “transaction database” that a claim processing task has been completed is inherent to the functioning of the system.

As to **claims 40-42**, Abbruzzese discloses different lines of insurance, i.e. workmen’s comp, automobile, property/liability, etc. (column 3, lines 59-64) and LPTX screens to collect information particular to each.

As to **claims 23, 33, 35 and 51**, Abbruzzese discloses a *task library database for storing rules for determining tasks to be completed upon an occurrence of an event* is functionally equivalent to the series of input screens called Loan Processing Transactions (LPTX) in the prior art, whose presentation embodies “rules” for performing tasks related to each particular line of business subject to the claim (column 3, line 44, to column 4, line 44). To prepare such LPTX screens requires the use an interface for entering the rules for determining tasks and the order and presentation of the LPTX input

screens for each claims process. Thus, claim 51 is present in Abbruzzese in at least the *programmer's* interface for creating the LPTX screens.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fiszman teaches a workflow architecture that demonstrates old and well-known concepts applied to workflow such as client/server, task list creation, user interfaces, and a component-bus type event-driven architecture built on CORBA (Common Object Request Broker Architecture) technology. Fiszman discloses a general purpose, event-driven, object-oriented and component-based client/server workflow system for application to general clerical workflow tasks, for example, insurance claim processing.

Leymann teaches a event-driven workflow architecture that demonstrates general purpose workflow conditioned by events. Leymann describes only one aspect of the IBM FlowMark workflow system which is further described in other patent filings.

The event-driven workflow systems of Fiszman and Leymann are easily demonstrable as applicable to insurance claim processing. In particular, the event-driven workflow system and user interfaces described by Fiszman anticipate the "task" interfaces proposed by the disclosure of the present invention. Abbruzzese has been applied above because Abbruzzese more closely describes insurance claim processing workflow. However, emphasizing a patentable distinction in the task management aspect of the present invention would render Fiszmann or Leymann a base reference with merely the suggestion to implement an insurance claim processing workflow

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application such as taught by either Abbruzzese or Borghesi. Applicant is advised to consider the teachings of the prior art of record alone and in combination in formulating a response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Dave Robertson** whose telephone number is (703) 306-5679. The examiner can normally be reached Mon 12:30p-8:30p T-Th 8:30a-8:30p Fri 8:30a-12:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Tariq Hafiz** can be reached on (703) 305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** at telephone number (703) 308-1113.

Any response to this action should be mailed to:

*Commissioner of Patents and Trademarks*

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(703) 308-7687 [Official communications]

(703) 308-7687 [After Final communications, labeled "Box AF"]

(703) 746-5552 [Informal/draft communications, directly to Examiner,  
labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

dcr



August 9, 2002



**TARIQ R. HAFIZ**  
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**TECHNOLOGY CENTER 3600**